

AFFIDAVIT OF SERVICE

UNITED STATES DISTRICT

SOUTHERN DISTRICT OF NEW YORK

COUI

DOCUMENTS SERVED WITH INDEX # 12CV5509 AND FILED ON JULY 17, 2012

ATTORNEY(S): Shimshon Wexler,

MARY ROACH

Plaintiff

vs

ASSET ACCEPTANCE LLC, ET AL

Defendant

STATE OF UTAH COUNTY OF Utah, SS.:

Eric Foss being duly sworn deposes and says:
 Deponent is not a party herein and is over 18 years of age. On July 27, 2012 at 2:10 P.M.,
 at 170 WEST ELECTION ROAD, SUITE 125, DRAPER UTAH deponent served the within

SUMMONS IN A CIVIL ACTION AND COMPLAINT

on: GE CAPITAL RETAIL BANK, Defendant therein named.

INDIVIDUAL

☐

By personally delivering to and leaving with said

a true copy thereof, and that deponent knew the person so served to be the person mentioned and described in said

SUMMONS IN A CIVIL ACTION AND COMPLAINT

CORPORATION

☒

By delivering to and leaving with Nicole Fennell at GE Capital Retail Bank
 and that deponent knew the person so served to be the Mailroom Administrator of the corporation.

Service was made in the following manner after your deponent was unable, with due diligence, to serve the defendant in person:

SUITABLE
AGE PERSON☐

By delivering a true copy thereof to and leaving with _____ a person of suitable age and discretion
 at _____ the said premises being the defendants/respondents

[] dwelling place (usual place of abode) [] actual place of business within the State of UTAHAFFIXING
TO DOOR☐

By affixing a true copy thereof to the door of said premises, the same being the defendant's [] dwelling house (usual place of
 abode) [] actual place of business within the State of UTAH

MAILING TO
RESIDENCE
(use with C or D)☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed
 to defendant at defendant's residence at _____
 and deposited said envelope in an official depository under the exclusive care and custody of the United States Post Office within
 the State of _____ on _____

MAILING TO
BUSINESS
(use with C or D)☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed
 to defendant at defendant's actual place of business at _____ in an official depository
 under the exclusive care and custody of the United States Post Office within the State of _____. The envelope bore
 the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the
 communication was from an attorney or concerned an action against the defendant and mailed on _____

PREVIOUS
ATTEMPTS
(use with D)☐

Deponent had previously attempted to serve the above named defendant/ respondent

Day _____	Date _____	Time _____
Day _____	Date _____	Time _____
Day _____	Date _____	Time _____

Deponent spoke with _____ who stated to deponent that the said defendant(s)
 lived at the aforementioned address, but did not know defendant's place of employment.

DEPONENT STATES THAT THE INDEX # AND FILING DATE WERE CLEARLY VISIBLE ON THE SUMMONS.

VOID WITHOUT
DESCRIPTION
(Use with A, B, C & D)☐

A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

Approximate age 40 Approximate weight 140 Approximate height 5'8" Sex F
 Color of skin white Color of hair Brown Other Glasses

MILITARY
SERVICE☐

Deponent asked the person spoken to whether the defendant/respondent was presently in the military service of the United States
 Government or on active duty in the military service in the State of New York and was informed he/she was not. Your deponent further
 says that deponent knew the person so served to be the person mentioned and described in said legal papers as defendant/respondent
 therein. Your deponent is over the age of 18 years and is not a party to this action

NON-
SERVICE
H☐

After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served due
 to the following: [] Not known at address [] Address does not exist [] Evading [] Moved left no forwarding [] Other

WIT. FEES

☐

\$ the authorizing traveling expenses and one day's witness fee was paid (tendered) to the recipient.

Sworn to before me on this 31 day of July 2012Brenda GilderEric Foss

ERIC FOSS
 Attny's File No.

Invoice/Work Order # SP1208559